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A Law Corporation

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Attorneys for Defendant  
EMC MORTGAGE CORPORATION and  
Defendant/Third-Party Plaintiff  
FREMONT INVESTMENT & LOAN  
now known as FREMONT REORGANIZING CORPORATION

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

BENJAMIN M. NARVAES and  
ELENA V. NARVAES,  
  
Plaintiffs,

vs.

WELLS FARGO BANK, N.A., NICHOLE  
K. BUENDIA, BLAKE SATO, IVONNE  
MACHADO and 808 HOME MORTGAGE,  
INC.

Defendants.

Civil No. 08-00584 DAE KSC

**STIPULATION FOR DISMISSAL WITH  
PREJUDICE AS TO ALL CLAIMS AND  
ALL PARTIES; ORDER**

Trial Date: November 3, 2009  
Trial Judge: The Honorable  
David Alan Ezra

BENJAMIN M. NARVAES and  
ELENA V. NARVAES,  
  
Plaintiffs,

vs.

EMC MORTGAGE CORPORATION and  
FREMONT INVESTMENT AND LOAN,

Defendants.

Civil No. 07-00621 BMK



FREMONT INVESTMENT AND LOAN,

Third-Party  
Plaintiff,

vs.

808 HOME MORTGAGE, INC.,  
FIDELITY NATIONAL TITLE  
INSURANCE COMPANY,

Third-Party  
Defendants.

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**STIPULATION FOR DISMISSAL WITH PREJUDICE  
AS TO ALL CLAIMS AND PARTIES**

IT IS HEREBY STIPULATED pursuant to Rule  
41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, by and  
between the parties hereto, through their respective counsel,  
that all claims and parties be dismissed with prejudice.

No other claims, parties or issues remain in this  
action and each party shall bear its own costs and attorneys'  
fees.

All parties who have appeared and remain in this  
action have signed this Stipulation.



This Court shall retain jurisdiction to enforce the settlement agreement in this case.

DATED: Honolulu, Hawai'i, November 18, 2009.

/s/ JOHN HARRIS PAER

CHRISTIAN P. PORTER  
JOHN HARRIS PAER  
Attorneys for Plaintiffs  
BENJAMIN M. NARVAES and  
ELENA V. NARVAES

/s/ LAURA P. COUCH

JADE LYNNE CHING  
LAURA P. COUCH  
DAVID E. AUSTIN  
Attorneys for Defendant  
EMC MORTGAGE CORPORATION and  
Defendant/Third-Party Plaintiff  
FREMONT INVESTMENT & LOAN, now  
known as FREMONT REORGANIZING  
CORPORATION

/s/ HARVEY E. HENDERSON

HARVEY E. HENDERSON  
Attorney for Third-Party Defendant  
808 HOME MORTGAGE INC. and  
Defendant BLAKE SATO

/s/ WILLIAM M. HARSTAD

JOHN P. MANAUT  
MELISSA H. LAMBERT  
WILLIAM M. HARSTAD  
Attorneys for Defendants  
WELLS FARGO BANK, N.A. as Trustee  
for Carrington Mortgage Loan Trust,  
Series 2007-FRE1

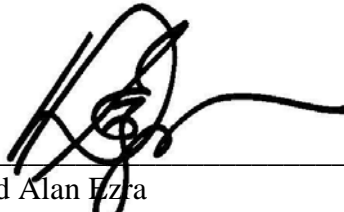


/s/ JAMES A. STANTON  
JAMES A. STANTON  
Attorney for Defendant  
IVONNE MACHADO

APPROVED AND SO ORDERED:

DATED: Honolulu, Hawaii, November 20, 2009.



  
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David Alan Ezra  
United States District Judge

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*Benjamin M. Narvaes and Elena V. Narvaes v. EMC Mortgage Corporation, et al.*, Civ. No. 07-00621 BMK and Benjamin M. Narvaes and Elena V. Narvaes v. Wells Fargo Bank, N.A., et al., Civ. No. 08-00584 DAE KSC; **STIPULATION FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND PARTIES; ORDER**